



February 18, 2005

HOUSE BILL No. 1300

DIGEST OF HB 1300 (Updated February 16, 2005 8:28 pm - DI 73)

Citations Affected: IC 22-13; IC 36-7.

Synopsis: Regulatory taking of outdoor advertiser property. Prohibits a state agency or political subdivision from requiring that a lawfully erected sign be removed or altered as a condition of issuing a permit, license, variance, or other order concerning land use development unless the sign owner is compensated in accordance with the eminent domain statute.

Effective: July 1, 2005.

Whetstone, Stevenson

January 11, 2005, read first time and referred to Committee on Local Government.
February 17, 2005, reported — Do Pass.

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HB 1300—LS 7551/DI 106+



February 18, 2005

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

HOUSE BILL No. 1300

A BILL FOR AN ACT to amend the Indiana Code concerning property.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 22-13-2-1.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2005]: **Sec. 1.5. A state agency or political subdivision may not**
4 **require that a lawfully erected sign be removed or altered as a**
5 **condition of issuing a:**

6 (1) permit;

7 (2) license;

8 (3) variance; or

9 (4) other order concerning land use or development;

10 **unless the owner of the sign is compensated in accordance with**
11 **IC 32-24.**

12 SECTION 2. IC 36-7-2-5.5 IS ADDED TO THE INDIANA CODE
13 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
14 1, 2005]: **Sec. 5.5. A unit may not require that a lawfully erected**
15 **sign be removed or altered as a condition of issuing a:**

16 (1) permit;

17 (2) license;

HB 1300—LS 7551/DI 106+



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- 1 (3) variance; or
- 2 (4) other order concerning land use or development;
- 3 unless the owner of the sign is compensated in accordance with
- 4 IC 32-24.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 1300, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

HINKLE, Chair

Committee Vote: yeas 11, nays 0.

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HB 1300—LS 7551/DI 106+

